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per

13
14 **UNITED STATES BANKRUPTCY COURT**
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION

16 In re
17 ITKIN & SABADASH,
18
19 Involuntary Debtor.

Case No. 2:25-bk-11235-NB
Chapter 7
**JOINT OMNIBUS OBJECTIONS TO
DECLARATIONS OF MICHAEL
ZORKIN (DOCKET NOS. 90-1 AND 91-
1), ALEXANDER SABADASH
(DOCKET NOS. 90-2 AND 91-2) AND
ANDREW WOOD (DOCKET NOS. 90-3
AND 91-3) FILED IN SUPPORT OF:
(1) PUTATIVE PARTNER
ALEXANDER SABADASH'S MOTION
FOR FEES AND DAMAGES, UNDER 11
U.S.C. § 303(I) (DOCKET NO. 90); AND
(2) PUTATIVE PARTNER
ALEXANDER SABADASH'S MOTION
FOR FEES AND DAMAGES UNDER 11
U.S.C. § 303(I) AND MOTION FOR
SANCTIONS UNDER FRBP 9011
(DOCKET NO. 91)**

26 Date: August 19, 2025
27 Time: 2:00 p.m.
28 Place: Courtroom 1545

1 **TO: THE HONORABLE NEIL W. BASON, UNITED STATES BANKRUPTCY
2 JUDGE, AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

3 Petitioning general partner Garry Y. Itkin (“Mr. Itkin”), Daniel J. McCarthy and Joseph E.
4 Caceres object to the duplicative declarations of Michael Zorkin (docket no. 90-1 and 91-1),
5 Alexander Sabadash (docket nos. 90-2 and 91-2) and Andrew Wood (docket nos. 90-3 and 91-3)
6 filed by Mr. Sabadash on July 1, 2025, in support of (1) Putative Partner Alexander Sabadash’s
7 Motion for Fees and Damages, Under 11 U.S.C. § 303(i) (docket no. 90); and (2) Putative Partner
8 Alexander Sabadash’s Motion for Fees and Damages under 11 U.S.C. § 303(i) and Motion for
9 Sanctions under FRBP 9011” (docket no. 91),¹ as follows:

10 **Michael Zorkin Declarations**

11 “2. In 2018, I obtained the declaration of
12 Alexander Sabadash to oppose Mr. Itkin’s
13 Special Motion to Strike. This declaration was
14 filed in Case No. BC647351. A true and
15 correct copy of the Declaration of Alexander
16 Sabadash dated April 19, 2018 is attached as
17 **Exhibit 2.”**

18 **Grounds for Objection**

19 Hearsay as to Exhibit 2, Federal Rules of
20 Evidence 801 and 802. Also, just as the Court
21 ruled in that Superior Court action, Mr.
22 Sabadash’s declarations are inadmissible
23 because he is not subject to cross-examination.
(Itkin Decl., ¶ 19.)

24 “3. In 2019, I obtained the declaration of
25 Alexander Sabadash to oppose Mr. Itkin’s

26 Hearsay as to Exhibit 3, Federal Rules of
27 Evidence 801 and 802. Also, just as the Court

28 ¹ Paragraphs 2 to 12 of Mr. Zorkin’s declaration are inadmissible for the same reasons as
29 paragraphs 2 to 12 of his declaration in support of Mr. Sabadash’s “Motion to Dismiss Involuntary
30 Petition Under FRCP 12(b)(1) and 12(B)(6) or, in the Alternative, Motion for Summary
31 Judgment” were inadmissible. (Docket no. 8-1.) Mr. Itkin filed evidentiary objections to that
32 declaration on April 8, 2025. (Docket no. 18.) Except in minor respects, the Court’s
33 Memorandum of Decision Dismissing Involuntary Petition did not rule on those evidentiary
34 objections. (Docket no. 75.) Instead, the Memorandum relied in part upon that inadmissible
35 evidence, which is one ground for the Motion for Reconsideration that Mr. Itkin filed on July 1,
36 2025. (Docket no. 89.) That Motion has not been scheduled for hearing by the Court.

1 **Michael Zorkin Declarations**

2 Motion for Summary Adjudication. This
3 declaration was filed in Case No. BC647351.
4 A true and correct copy of the Declaration of
5 Alexander Sabadash dated December 19, 2019
6 is attached as **Exhibit 3.**"

7 **Grounds for Objection**

8 ruled in that Superior Court action, Mr.
9 Sabadash's declarations are inadmissible
10 because he is not subject to cross-examination.
11 (Itkin Decl., ¶ 19.)

12 "4. In 2020, I obtained the declaration of
13 Larisa Sabadash to Oppose Mr. Itkin's Motion
14 for Summary Adjudication. This declaration
15 was filed in Case No. BC647351. A true and
16 correct copy of the Declaration of Larisa
17 Sabadash dated January 9, 2020 is attached as
18 **Exhibit 4.**"

19 Hearsay as to Exhibit 4, Federal Rules of
20 Evidence 801 and 802.

21 "5. A true and correct copy of Mr. Sabadash's
22 Answer to Garry Itkin's Cross-Complaint
23 generally denying all allegations of the Cross-
24 Complaint filed in Case No. BC647351 is
25 attached as **Exhibit 5.**"

26 Hearsay as to Exhibit 5, Federal Rules of
27 Evidence 801 and 802.

28 "6. A true and correct copy of the Power of
29 Attorney issued to Garry Itkin by Mr. and
30 Mrs. Sabadash on May 1, 2000 is attached as
31 **Exhibit 6.**"

32 Lack of authentication, Federal Rule of
33 Evidence 901(a); lack of personal knowledge,
34 Federal Rules of Evidence 602 and 901(b)(1);
35 hearsay, Federal Rules of Evidence 801 and
36 802.

1 **Michael Zorkin Declarations**

2 “7. On August 18, 2016, Garry Itkin sent an
3 email to Joseph Corozzo discussing Mr.
4 Sabadash’s 100% ownership of all assets and
5 beneficial ownership of the Beverly Hills
6 residence. The email from Mr. Itkin included
7 as an attachment a chart of assets titled ‘AS
8 Structure.’ A true and correct copy of the
9 August 18, 2016 email from Garry Itkin and
10 the AS Structure attachment is attached as

11 **Exhibit 7.”**

12
13 “8. True and correct copies of the Demand and
14 Order to Act documents authenticated by
15 Garry Itkin at his deposition are attached as
16 **Exhibit 8.”**

17
18 “9. I was present during the 2020 trial in Case
19 No. BC647351. I received the trial transcripts
20 from the court reporter. A true and correct
21 copy of the relevant excerpt from the March
22 11, 2020 Trial Transcript is attached as
23 **Exhibit 9.”**

24
25 “10. A true and correct copy of the redacted
26 W-2 issued to Garry Itkin by AFB Trading
27 One, Inc. for years 2008 and 2009 is attached

28 **Grounds for Objection**

Lack of authentication, Federal Rule of
Evidence 901(a); lack of personal knowledge,
Federal Rules of Evidence 602 and 901(b)(1);
hearsay, Federal Rules of Evidence 801 and
802.

Lack of authentication, Federal Rule of
Evidence 901(a); lack of personal knowledge,
Federal Rules of Evidence 602 and 901(b)(1);
hearsay, Federal Rules of Evidence 801 and
802.

Hearsay as to Exhibit 6, Federal Rules of
Evidence 801 and 802.

Lack of authentication, Federal Rule of
Evidence 901(a); lack of personal knowledge,
Federal Rules of Evidence 602 and 901(b)(1);

1 **Michael Zorkin Declarations**

2 as **Exhibit 10**. This document was received in
3 discovery in the BC647351 action.”

1 **Grounds for Objection**

2 hearsay, Federal Rules of Evidence 801 and
3 802.

4
5 “11. A true and correct copy of a ‘Guaranty’
6 dated October 9, 2012 signed by Garry Itkin
7 for Golden Sphinx Limited is attached as
8 **Exhibit 11**.”

9
10 Lack of authentication, Federal Rule of
11 Evidence 901(a); lack of personal knowledge,
12 Federal Rules of Evidence 602 and 901(b)(1);
13 hearsay, Federal Rules of Evidence 801 and
14 802.

15
16 “12. A true and correct copy of an
17 “Employment Agreement” dated August
18 21, 2025 between Garry Itkin and Golden
19 Sphinx Limited is attached as **Exhibit 12**.”

20 Lack of authentication, Federal Rule of
21 Evidence 901(a); lack of personal knowledge,
22 Federal Rules of Evidence 602 and 901(b)(1);
23 hearsay, Federal Rules of Evidence 801 and
24 802.

25
26 “14. Deposition of Jeffrey Ratner was taken
27 on June 11, 2019 in Case No. BC647351.
28 After the deposition, I received the transcript
from the court reporter. The transcript
accurately reflects the deposition testimony.
Attached as **Exhibit 15** is a true and correct
copy of the relevant excerpts from the
transcript of the Deposition of Jeffrey Ratner.”

Hearsay as to Exhibit 15, Federal Rules of
Evidence 801 and 802.

“17. In the BC647351 Action, I obtained via
subpoena bank records for Mr. Itkin’s

Lack of authentication, Federal Rule of
Evidence 901(a); lack of personal knowledge,

1	Michael Zorkin Declarations	Grounds for Objection
2	personal bank account at East West Bank.	Federal Rules of Evidence 602 and 901(b)(1);
3	These bank records show Mr. Itkin's	hearsay as to Exhibit 18, Federal Rules of
4	payments to Ms. Gofman. A true and correct	Evidence 801 and 802.
5	copy of the relevant excerpts of bank records,	
6	including the custodian of record's	
7	declaration, is attached as Exhibit	
8	18.”	
9	“18....From my professional experience, I am	Lack of personal knowledge, Federal Rules of
10	aware that Russian courts maintain an official	Evidence 602 and 901(b)(1); hearsay, Federal
11	database of judicial decisions at	Rules of Evidence 801 and 802.
12	kad.arbitr.ru. This database is similar a docket	
13	search on PACER. It is publicly available. I	
14	accessed the database and searched for case	
15	No. A40-165165/2018 (Gofman v. Itkin &	
16	Sabadash). The direct link to the docket for	
17	this case is https://kad.arbitr.ru/Card/93e50ff5-fb53-49ee-9f54-daadb093a3a .”	
18		
19		
20	“19. The docket included each judicial	Lack of personal knowledge, Federal Rules of
21	opinion and judgment from the trial	Evidence 602 and 901(b)(1); hearsay, Federal
22	court through the appellate courts culminating	Rules of Evidence 801 and 802.
23	with the Russian Supreme Court's	
24	refusal to hear the case. The Information	
25	Summary does not appear on the docket.”	
26	“22.... I received a letter	Hearsay, Federal Rules of Evidence 801 and
27	from the arbitrator, Mr. Knyazev, informing	802.
28		

1 **Michael Zorkin Declarations**

2 me that a private arbitration hearing
3 was set for August 25, 2021. I, in conjunction
4 with Russian counsel, sent Mr. Knyazev three
5 formal objections. The first contested the
6 jurisdiction of the arbitrator to hear the dispute
7 because defendants were not parties to any
8 arbitration agreement. The second objected on
9 the ground that defendants have not received
10 any documents substantiating Plaintiff's
11 claims and questioned the validity of any
12 such documents. The third raised a defense
13 based on the statute of limitations as
14 the alleged debts arose in 2010.”

15 “23.....The Russian attorneys went to the
16 address listed by the arbitrator
17 while in contact with me by phone. The
18 attorneys knocked on the door of the office
19 designated by the arbitrator, but no one
20 answered the door.”

21 “24. Then, about ten minutes after the hearing
22 was scheduled to start, the
23 arbitrator emailed me attaching a decision
24 dismissing the case based on Defendants'
25 objections. The arbitrator found that he lacks
26 jurisdiction to hear the case based on
27 objections submitted by defendants. The email

1 **Grounds for Objection**

2 Lack of personal knowledge, Federal Rules of
3 Evidence 602 and 901(b)(1); hearsay, Federal
4 Rules of Evidence 801 and 802.

5 Lack of personal knowledge, Federal Rules of
6 Evidence 602 and 901(b)(1); hearsay, Federal
7 Rules of Evidence 801 and 802.

1 **Michael Zorkin Declarations**

2 used by the arbitrator was

3 ag99@list.ru.”

4 “25. The arbitrator copied Mr. Itkin and
5 plaintiff’s counsel on this email. A
6 true and correct copy of the decision sent to
7 me by the arbitrator and a certified
8 translation is attached as **Exhibit 22**. A true
9 and correct copy of the email is attached as

10 **Exhibit 23.”**

11 “29. The subpoenaing party was plaintiff AFB
12 Trading One, Inc. a corporation wholly owned
13 by Mr. Sabadash.”

14
15
16
17 “29....No plaintiff in that case agreed to pay
18 Jeffrey Ratner or Progressive Management
19 any money or attorneys’ fees for appearance at
20 the deposition outside of the statutory witness
21 fees.”

22
23 “30. In the course of discovery in the
24 BC647351 action, Mr. Ratner and
25 Progressive Management produced all
26 documents in their possession related to Mr.
27 Sabadash. In that production, there was not a

1 **Grounds for Objection**

2 Lack of authentication, Federal Rule of
3 Evidence 901(a); lack of personal knowledge,
4 Federal Rules of Evidence 602 and 901(b)(1);
5 hearsay, Federal Rules of Evidence 801 and
6 802. Exhibit 22 lacks any official stamp.

7
8
9
10 Regarding the statement that “AFB Trading
11 One, Inc. a corporation” is “wholly owned by
12 Mr. Sabadash”: lack of personal knowledge,
13 Federal Rules of Evidence 602 and 901(b)(1);
14 hearsay, Federal Rules of Evidence 801 and
15 802.

16
17 Lack of personal knowledge, Federal Rules of
18 Evidence 602 and 901(b)(1); hearsay, Federal
19 Rules of Evidence 801 and 802.

20
21 Lack of personal knowledge, Federal Rules of
22 Evidence 602 and 901(b)(1); hearsay, Federal
23 Rules of Evidence 801 and 802.

1 **Michael Zorkin Declarations**

1 **Grounds for Objection**

2 single invoice addressed to a partnership,
3 showing that the invoice attached to the proof
4 of claim was created
5 specifically for this proceeding and is not
6 proof of genuine debt.”

7
8 **Alexander Sabadash Declarations**

8 **Grounds for Objection**

9 The entire declaration.

10 Irrelevant, Federal Rules of Evidence 401 and
11 402. The entire declaration disputes the
12 existence of Itkin & Sabadash, a partnership,
13 and it belatedly attempts to contradict the
14 declaration of Mr. Itkin that was filed in
15 opposition to Mr. Sabadash’s Motion to
16 Dismiss or in the Alternative Motion for
17 Summary Judgment (the “Motion to
18 Dismiss”). The declaration would have been
19 relevant had it been filed with the Motion to
20 Dismiss, but it is not relevant to the issue of
21 whether Mr. Sabadash’s pending Motion for
22 Fees and Damages should be granted. His
23 declaration is an obvious attempt to belatedly
24 “improve the record.”

25
25 **Andrew Wood Declarations**

25 **Grounds for Objection**

26 The entire declaration.

27 Irrelevant, Federal Rules of Evidence 401 and
28 402. The entire declaration describes the

1 proceedings in Jersey. It is not relevant to the
2 issue of whether Mr. Sabadash's pending
3 Motion for Fees and Damages should be
4 granted. His declaration is an obvious attempt
5 to criticize positions taken by his counsel in
6 Jersey on his behalf.

7

8

9 DATED: August 5, 2025

10

11 HILL, FARRER & BURRILL LLP

12 CACERES & SHAMASH, LLP

13 By: /s/ Daniel J. McCarthy

14 Daniel J. McCarthy

15 Attorneys for Petitioning General Partner
16 GARRY Y. ITKIN, and Daniel J. McCarthy, pro per
17 in pro per

18 By: _____

19 Charles Shamash

20 Attorneys for Creditors and Joseph E. Caceres, in
21 pro per

22 **HILL, FARRER & BURRILL LLP**
23 A LIMITED LIABILITY PARTNERSHIP
24 ATTORNEYS AT LAW
25 CITY NATIONAL PLAZA
26 515 S. FLOWER STREET, 7TH FLOOR
27 LOS ANGELES, CALIFORNIA 90071

1 PROOF OF SERVICE OF DOCUMENT

2 I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business
3 address is: 515 South Flower Street, 7th Floor, Los Angeles, CA 90071.

4 A true and correct copy of the foregoing document entitled (specify):**JOINT OMNIBUS OBJECTIONS TO**
5 DECLARATIONS OF MICHAEL ZORKIN (DOCKET NOS. 90-1 AND 91-1), ALEXANDER SABADASH
6 (DOCKET NOS. 90-2 AND 91-2) AND ANDREW WOOD (DOCKET NOS. 90-3 AND 91-3) FILED IN
7 SUPPORT OF: (1) PUTATIVE PARTNER ALEXANDER SABADASH'S MOTION FOR FEES AND
DAMAGES, UNDER 11 U.S.C. § 303(I) (DOCKET NO. 90); AND (2) PUTATIVE PARTNER ALEXANDER
SABADASH'S MOTION FOR FEES AND DAMAGES UNDER 11 U.S.C. § 303(I) AND MOTION FOR
SANCTIONS UNDER FRBP 9011 (DOCKET NO. 91) will be served or was served (a) on the judge in
chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

8 **1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to
9 controlling General Orders and LBR, the foregoing document will be served by the court via NEF and
hyperlink to the document. On (date) August 5, 2025, I checked the CM/ECF docket for this bankruptcy
case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice
10 List to receive NEF transmission at the email addresses stated below:

11 Joseph E Caceres jec@locs.com, generalbox@locs.com
Daniel J McCarthy dmccarthy@hillfarrer.com, spadilla@hillfarrer.com; dflowers@hfbllp.com
12 Kurt Ramlo Adam RamloLegal@gmail.com, kr@ecf.courtdrive.com, ramlo@recap.email
Charles Shamash cs@locs.com, generalbox@locs.com
Oleg Stolyar astolyar@loeb.com
13 United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov
Michael Zorkin mz@thezorkinfirm.com

14 Service information continued on
15 attached page

16 **2. SERVED BY UNITED STATES MAIL:**

17 On (date) August 5, 2025, I served the following persons and/or entities at the last known addresses in this
bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope
18 in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here
constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the
document is filed.

19 United States Trustee
915 Wilshire Blvd, Suite 1850
20 Los Angeles, CA 90017

21 Service information continued on
attached page

22 **3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL**

23 (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date)
24 _____, I served the following persons and/or entities by personal delivery, overnight mail
service, or (for those who consented in writing to such service method), by facsimile transmission and/or
email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight
mail to, the judge will be completed no later than 24 hours after the document is filed.

25 Service information continued on
26 attached page

27 I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

28 August 5, 2025
Date

Daniel J. McCarthy
Printed Name

/s/ Daniel J. McCarthy
Signature